

David J. Bradley, Clerk

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108. Chesapeake Operating, on behalf of Chesapeake Exploration, paid to Texas Lone Star the sum of \$262,324.70 in overpayments pursuant to division orders on the Unit C LAS 2H well from September 3, 2012 to May 29, 2015.

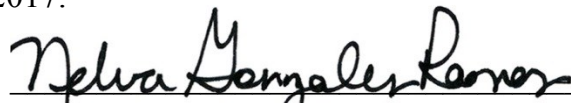
109. Chesapeake Operating, on behalf of Chesapeake Exploration, paid to J.D. Cobbs the sum of \$37,764.14 in overpayments pursuant to division orders on the Unit D LAS 5H well from December 13, 2013 to December 22, 2015.

110. J.D. Cobbs is not entitled to recover for alleged underpayments that occurred prior to December 13, 2013, or after December 22, 2015, based upon mistakes in setting out percentage of royalty interest ownership or mistakes of arithmetic. J.D. Cobbs' pleading with respect to improper royalty payments was limited to his claim that deduction of post-production expenses was not proper according to the lease terms. D.E. 62, pp. 4-8 (Joint Pretrial Order addressing the contentions of the parties).

111. The joint pretrial order governs the submission of the case absent a showing of manifest injustice. Fed. R. Civ. P. 16(d), (e).

112. Plaintiffs have not shown manifest injustice in limiting their claims to those pled throughout the pendency of this case.

ORDERED this 3rd day of January, 2017.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE